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C O N F I D E N T I A L SECTION 01 OF 04 KYIV 000590

SIPDIS

E.O. 12958: DECL: 04/02/2019

TAGS: PGOV PREL PINR UP

SUBJECT: TERNOPILOBLAST ELECTION A BLOW TO TYMOSHENKO

Classified By: Ambassador William Taylor for reasons 1.4(b,d)

**SUMMARY**

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**¶11.** (C) In a March 15 election in the western Ukrainian region of Ternopil, Oleg Tyahnybok's nationalist "Svoboda" party soundly defeated PM Tymoshenko's BYuT and a fractured Our Ukraine (OU) party. BYuT and OU had together controlled 102 of 120 council seats -- following the election they controlled 20. After initially supporting the election, BYuT had then tried to cancel the election in the Rada and in the courts, but was unsuccessful. BYuT did not actively campaign. Although they acknowledged irregularities, the Ternopil election commission and the independent observer organization Committee of Voters of Ukraine (CVU) certified the election as free and fair. Local issues, BYuT's strategic mistakes, and a significant protest vote against current political leadership influenced the election results.

While Svoboda cannot replicate this level of support nationally, the results are a blow to BYuT. BYuT leaders, including Rada vice speaker Tomenko, tell us that Tymoshenko is in denial. End Summary.

**TERNOPILOBLAST COUNCIL ELECTION**

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**¶12.** (U) On March 15, Ternopil oblast voters delivered defeat to PM Tymoshenko's BYuT in a pre-term oblast council election. The election was held after BYuT was unsuccessful in its attempts to cancel it. On March 3 BYuT (and Party of Regions) voted to cancel the elections that had been set the previous December with BYuT's support. When a Ternopil district court ordered the election to be held, BYuT made a last-minute court challenge to the Ternopil court's decision. That challenge failed on March 14, and the election were held the next day.

**¶13.** (U) Nationalist party Svoboda won 34 percent of the vote, Presidential Secretariat head Viktor Baloha's United Center (UC) came in a surprising second with 14 percent of the vote, and Party of Regions (Regions) collected a surprisingly high 10 percent of the vote. PM Tymoshenko's BYuT, which did not actively campaign in the days leading to the election, received an anemic eight percent of the vote, and a fractured Our Ukraine managed to get only five percent. Between the two parties, BYuT and OU will control 20 of the 120 seats on the council. Following the 2006 election, the two controlled 102 of 120. Svoboda gained 50 seats on the new council, 11 short of an outright majority. The Ukrainian People's Party (UPP) and Rada Speaker Lytvyn's bloc also crossed the three percent threshold to gain seats.

**¶14.** (C) Svoboda's Oleksiy Kaida, newly-elected Ternopil oblast council president, and until recently a Lviv oblast council member, told us that Svoboda would work with UC's 20 council members and the UPP's 11 members in situational voting. Svoboda would likely hold off on forming a coalition with anyone, according to Kaida. He said his party would be unlikely to work with BYuT, which he called "a party of

businessmen, oligarchs and bandits." BYuT, claiming large-scale election fraud, has yet to accept its 12 mandates to the council.

TYMOSHENKO "IN DENIAL"

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¶ 15. (C) BYuT MP and Rada Vice Speaker Mykola Tomenko told us that Tymoshenko is "in denial" about the public's disenchantment with politics and about her own eroding political standing. Tomenko, and others within BYuT, had shown dire polling data to Tymoshenko, but she refused to accept it, insisting that someone must have tampered with the data or bribed the pollsters. Tomenko said that Tymoshenko made a "big mistake" in her handling of the Ternopil election. BYuT's lack of engagement allowed an artificially high result for Regions and UC. Echoing Tomenko, BYuT MP Valeriy Pysarenko told us that party leaders had yet to recognize that BYuT's support had dropped in the West. He noted that no one in BYuT's national leadership had traveled to Ternopil in recent months, and the party relied on the "old guard" local BYuT politicians to maintain its standing there.

TERNOPIL - A "UNIQUE" OBLAST, A LOCAL RESULT

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¶ 16. (C) In a March 19 meeting, Lviv Governor Mykola Kmit told the Ambassador that neighboring Ternopil was a unique oblast, and that the election results did not necessarily show a national trend for Svoboda. He, and other contacts, noted that Ternopil, a primarily agricultural oblast, was Ukraine's

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least developed, with the lowest average salaries in the country. Referring to Ternopil, Lviv Mayor Andriy Sadoviy added that the "level of culture" in Ukraine's rural areas is very low. Influential Ukrainska Pravda journalist Mustafa Nayam, who covered the Ternopil election, told us that Ternopil voters found Svoboda's nationalist message appealing.

BYUT "MISSSTEPS" BENEFIT CHALLENGERS

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¶ 17. (C) Orest Drul, a Lviv-based political analyst, told us that, while Svoboda would have likely won the election anyway, BYuT helped to deliver a resounding victory to Svoboda through a number of its own strategic missteps. First, the BYuT-controlled oblast council had been ineffective, primarily due to fighting between BYuT and OU council members. Natalya Balyuk, editor-in-chief of the Lviv-based, BYuT-leaning Vysokiy Zamok newspaper, told us that the national BYuT party apparatus did not pay attention to the Oblast or the election "until it was too late."

¶ 18. (C) Drul also noted that "meddling" with the election hurt BYuT in the run-up to the election. Roman Kashovy, Committee of Voters of Ukraine representative in Lviv, told us that BYuT's attempts to cancel the election, first legislatively, then through the courts, further undermined support for BYuT and Tymoshenko in Ternopil. People saw the party acting in its own self-interest and against the oblast's and Ukraine's interests. Volodymyr Kvurt, Lviv municipal council secretary, added that BYuT's attempts to cancel the election focused much more attention on a local Ternopil election than would ordinarily have been paid, even with Svoboda's victory. Balyuk questioned BYuT's reliance on court challenges and claims of "falsification and fraud." She said that BYuT was too afraid to be seen as weak in the run-up to the presidential election, but argued that by "being afraid of second place," BYuT wound up fourth. Andriy Khomytsky, a Svoboda member of the Lviv municipal council, crowed to us that because BYuT is afraid to lose "it chose not to play, so we won and they lost." Finally, BYuT Rada MP Volodymyr Bondarenko admitted to us that BYuT's decision to try to

cancel the election had been "a strategic mistake."

¶ 9. (C) Many contacts argued that BYuT had also hurt its image and standing in western Ukraine by appearing to work too closely with Party of Regions and Russia - a move that many in western Ukraine see as a betrayal to their nationalist beliefs. Ukrainska Pravda's Nayam told us that Tymoshenko made a mistake in assuming she could retain BYuT's rating in the West while trying to build a support in the East with a more conciliatory approach to Russia. According to Svoboda's Tyahnybok, BYuT suffered because western Ukrainians resented Tymoshenko's closer relations with the "Russian Czars," Putin and Medvedev.

PROTEST VOTERS -- LOOKING FOR "UNTAINTED" CANDIDATES

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¶ 10. (C) While Ternopil is a unique oblast in Ukraine, many people we spoke to said that the "protest vote" played a factor in the election results as well, as voters registered their displeasure with the parties in power in Kyiv and in the regions. Governor Kmit attributed BYuT's defeat, in part, to a protest vote against the politics of conflict and confrontation that has engulfed Kyiv.

¶ 11. (C) The CVU's Kashovy said that as the economic crisis deepens, people are beginning to generally blame "those in power", and Tymoshenko and BYuT have the most to lose from such a development. In Ternopil, Svoboda, United Center, and even Regions presented new faces that did not have the "taint" of the past few years of Ternopil politics or national politics, while BYuT and OU candidates were "corrupt, old-news politicians." Lviv council secretary Kvurt argued that voters took a look at the state of politics in Ternopil, and in Ukraine generally, and decided that "Svoboda can't be much worse."

¶ 12. (C) Kashovy argued that the Ternopil election could be a signal to Kyiv that voters are looking for something new in their political leadership, something that political analyst Drul said BYuT and Tymoshenko would ignore at their peril. While this swing away from the traditional "orange" political forces could benefit Svoboda somewhat, most people told us this boded particularly well for former Rada Speaker Arseniy Yatsenyuk and, to a lesser extent, Rada Defense and National Security Committee Chairman and former Defense Minister Anatoliy Hrytsenko, both of whom are developing their own political movements.

SVOBODA HAS LIMITED NATIONAL PROSPECTS

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¶ 13. (SBU) While the Ternopil election represents Svoboda's first "big win" in Ukrainian politics, the party has had some success in local electoral politics in western Ukraine since it started running independently in 2006. Svoboda holds 10 of 119 seats in the Lviv oblast council, and 9 of 90 seats on the Lviv municipal council. Svoboda representative Ruslan Koshulynskyi told us that the party has about 200 council members on local oblast, city and rayon councils throughout western Ukraine.

¶ 14. (C) Lviv-based political analyst Ihor Tanchyk said that the Ternopil results showed that Svoboda has potential as an independent national political party, and CVU Chairman Ihor Popov, since named as Deputy head of the Presidential Secretariat, told us that Svoboda could ride its electoral momentum over the 3 percent barrier if early Rada elections were held this year. There was unanimous consent among our contacts, however, that Svoboda has a clear ceiling to its potential support nationwide.

¶ 15. (C) Lviv council secretary Kvurt told us that Svoboda is primarily an ideological movement, and is generally

unprepared to actually govern and deal with real economic issues. Lviv governor Kmit agreed, calling Svoboda a "party of empty slogans" whose victory in Ternopil marked the beginning of its fall. Many people pointed to Svoboda's shallow bench, noting that 10 of the 50 seats they won in Ternopil would be filled by people from other oblasts, including the new Oblast council president Oleksiy Kaida, a current member of the Lviv oblast council.

¶16. (C) Kaida told us that Svoboda understood its limitations. He said that Tyahnybok would run for president, but he knows he does not have a realistic chance at national office. A presidential run would, however, raise Svoboda's profile. Svoboda is also banking on early Rada elections. Kaida said that they had information that Yushchenko had once again signed a decree dissolving the Rada and would make it public prior to April 15. Kaida predicted that Svoboda could get as much as 5 percent, which is higher than most observers predict, and more than double the 2.4 percent support Svoboda received in a March 9 Razumkov Center poll.

¶17. (C) Many observers noted that Tyahnybok had been successful in moderating his image in recent years, which could allow him to appeal to more centrist voters. Tyahnybok is backed however, by an "undereducated and extremist base," according to Ukrainskaya Pravda's Nayam, and that even voters in Ternopil will distance themselves from Svoboda if it shows its "real face."

#### UNITED CENTER -- "A PARTY OF GOVERNORS"

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¶18. (C) Many contacts attributed United Center's second place finish to two things: a highly visible campaign, and effective use of "administrative resources." Analyst Drul explained that because local government has so little power, local elections generate little excitement and become "visual elections" where people vote for what they see. He said that UC (and Svoboda) ran a highly visible campaign and "were everywhere", while BYuT and OU did not put much effort into the election.

¶19. (C) Drul added that Ternopil governor Yuriy Chyzhmar, a UC member and close ally of Baloha, is well-regarded in Ternopil. Drul, and other contacts, stressed, however, that Chyzhmar illegally used significant oblast administrative resources, such as oblast personnel, budget, and other resources, not only for UC's benefit, but in a general anti-BYuT campaign that benefited Svoboda and Regions as well.

¶20. (C) Roman Patushenko, a Professor at the Lviv Institute for Pedagogical Education and UC member, told us that UC had spent a year organizing throughout Ukraine. He argued that UC now had one of the most well-organized political structures in the country, and that the party "has people where it needs them." Both Drul and Vysokiy Zamok editor Balyuk dismissed UC as "a party of governors," alluding to Baloha's ability to get his allies in the party appointed to oblast governor positions by Yushchenko. UC received zero percent support in a March 9 Razumkov Center national poll on party support.

#### BYuT CLAIMS ELECTION FRAUD

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¶21. (SBU) BYuT, and some political commentators, have argued that the election was rife with vote buying, ballot stuffing and other election fraud. BYuT's Deputy Rada faction head

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Andriy Kozhemyakin argued that the election was marred by "systematic falsifications," and announced that BYuT would not accept its mandates from such a flawed election. BYuT MP Volodymyr Bondarenko told us that it was clear that UC and Svoboda worked closely together to falsify the election results to ensure a resounding BYuT defeat. Rada Speaker

Lytvyn called the election results "manufactured," and lamented that "many are now keen on early presidential elections" now that they have gotten away with their fraud in Ternopil.

¶22. (C) The Ternopil election commission concluded that the election was "difficult, but fair." The CVU reported that the election was held without significant violations which could influence the election result. In a follow-up meeting, CVU head Ihor Popov told us that Regions did buy votes and UC did use administrative resources but maintained that there was not enough fraud to influence the outcome. He characterized the election results as "strange" because BYuT had been polling at over 18 percent two weeks before election day, but said that BYuT "confused" its supporters by trying to cancel the elections.

¶23. (C) BYuT countered that the 51 percent turnout figure represented significant ballot stuffing, and that the real turnout was about 30 percent. Vysokiy Zamok editor Balyuk concurred, explaining to us that Baloha had exported to Ternopil the electoral fraud techniques he perfected in Zakarpatiya oblast, most notably in the Mukacheve mayoral race in 2004. She pointed to the discrepancy between the turnout in the city of Ternopil (about 25 percent) and the oblast as a whole, and noted that over 40 percent of the total vote was registered in the final few hours of the day.

¶24. (C) Balyuk ultimately blamed BYuT, however, for allowing the fraud to take place. If they had not pulled their observers from voting sites in their misguided attempt to stop the election, she argued, BYuT would have been in a better position to prevent the purported large-scale election fraud. BYuT has lodged court challenges to the results, but has thus far been unsuccessful. The results were published and certified by the Ternopil election commission and the new council has been seated and is voting on council and committee leadership. BYuT has yet to take their 12 seats.

¶25. (C) Political analysts Tanchyk and Drul told us that electoral fraud is much easier in local elections than national elections for a number of reasons. First, fewer people pay attention to local elections. Second, voters can more easily be bought because they do not see their votes for local councils as being valuable. In national elections such as Rada or presidential elections, they argued, voters would be less likely to "sell" what they considered more meaningful, thus valuable, votes.

Comment

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¶26. (C) The Ternopil elections show that Tyahnybok and his right wing Svoboda party have benefited from the squabbling and inaction in the face of the ongoing economic crisis by traditional "orange" forces. While Tymoshenko appears to be in denial, the election results in Ternopil illustrate that BYuT and her own presidential aspirations are vulnerable to a protest vote if voters in western Ukraine continue to blame her for economic problems or for "betraying" their interests with her more conciliatory approach to Russia. Former Rada Speaker Yatsenyuk could benefit in the presidential election if he can capitalize on the discontent with Tymoshenko in the western part of the country.

TAYLOR